



District of Columbia Health Reform Implementation Committee

Guidelines and Operating Procedures

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I. Purpose (Mayor's Order 2010-97, May 28, 2010)

The purpose of the Health Reform Implementation Committee ("Committee") is to advise the Mayor on the implementation of the federal Patient Protection and Affordable Care Act, approved March 23, 2010 (Pub. L. 111-148; 124 Stat. 119) and the Health Care and Education Reconciliation Act of 2010, approved March 30, 2010 (Pub. L. 111-152; 124 Stat. 1029) (collectively "PPACA").

While the work of the Committee will be advisory, it will be essential that the Committee identify and resolve conflicts over policy issues, create a consensus whenever possible, and build public support for critical elements so as to ensure that the advice offered, and recommendations made to the Mayor will ensure an effective and efficient implementation of PPACA.

II. Representation and Structure

A. Health Reform Implementation Committee

1. The Committee Members will consist of:
 - a. The Commissioner of the Department of Insurance, Securities and Banking;
 - b. The Director of the Department of Health Care Finance;
 - c. The Director of the Department of Health;

- d. The Director of the Department of Human Services; and
 - e. Any other individual designated by the Mayor to represent an agency within the Executive Branch of the Government of the District of Columbia.
2. The Committee will be Co-Chaired by the Commissioner of the Department of Insurance, Securities and Banking and the Director of the Department of Health Care Finance.
 3. The Committee will be charged with recommending responses to, or courses of actions for, issues identified by the Committee.
 4. The Committee shall have the authority to address any substantive or procedural issue it deems appropriate, including amending these Guidelines and Operating Procedures (“Guidelines”), to accomplish the purpose of Mayor’s Order 2010-97.
 5. The Committee will provide reasonable notice for all meetings, including Subcommittee meetings, and notices of meetings will be published on the District of Columbia Health Reform website at www.healthreform.dc.gov.

B. Subcommittees

1. The Committee will establish as many Subcommittees as necessary to address issues delegated thereto by the Committee.
2. The Subcommittees shall be chaired by a Committee Member and consist of 5 to 9 Subcommittee Members who shall be appointed by the Co-Chairs of the Committee. The Subcommittee Members should include representatives of interested stakeholders, who may consist of members of the public, industry representatives, consumer representatives, provider representatives, and other interested individuals.
3. To ensure continuity and efficiency, Subcommittee Members may be replaced without cause by a majority vote of the Committee.
4. The Subcommittees established by the Committee will be charged with undertaking more in depth discussions and researching of issues under consideration before the Committee. Subcommittees will meet between meetings of the Committee and will report back on the results consistent with the decision-making procedures in section III of the Guidelines. The Chair of a Subcommittee will work with the Subcommittee Members to establish a plan for conducting its research, which may include holding information hearings, receiving comments from the public and other interested stakeholders, and assigning responsibility for drafting a Transmittal

Report that will include the Subcommittee's findings and conclusions. The Transmittal Report shall be forwarded to the Committee.

C. Co-Chair responsibilities

1. Schedule and announce monthly public meetings of the Committee and Subcommittees;
2. Prepare an agenda and materials for each meeting; and
3. Ensure decisions and information from Committee and Subcommittee meetings are made public through the website, press releases, and other mediums.

D. Committee and Subcommittee Member responsibilities

1. Attend and participate in meetings;
2. Review agenda and materials prior to meetings and come prepared to discuss matters before the Committee and Subcommittees;
3. Articulate their views and, when appropriate, the views of the members of their constituencies; and
4. Strive throughout the process to bridge gaps in understanding, seek creative resolution of differences, and commit to the goal of achieving consensus.

III. Communication and Decision-Making

A. Communication rules and guidelines

1. All Committee and Subcommittee meetings will be open to the public. Participation in discussions of the Committee and Subcommittee meetings will be limited to the Committee and relevant Subcommittee Members, except as provided below. Interested stakeholders and members of the public are invited and encouraged to attend and observe Committee and Subcommittee meetings. Opportunities for comment by the public and interested stakeholders will be provided as appropriate.
2. Members of the Committee and Subcommittees will be asked to comport with the following guidelines in conducting meetings:
 - a. The presiding Chair of the Committee or each Subcommittee will recognize individuals when it is their turn to speak, and only one person will speak at a time;
 - b. The presiding Chair of the Committee or each Subcommittee will exercise their

discretion in allowing each Member the opportunity to speak, and shall have discretion to close debate on a given issue or topic; and

- c. No Member or other participants shall make personal attacks or issue statements blaming others for specific actions or outcomes.

B. Decision-Making

1. On any formal action taken up before the Committee, the Committee will operate by consensus whenever possible and every effort will be made to meet the interests of the participating stakeholders. A Member's absence will be treated as a non-vote. If a consensus cannot be reached, the Co-Chairs may call for a vote of the Committee. A majority vote of those Members present shall prevail in deciding a given issue.
2. The Subcommittees will not vote on issues. Rather, if a consensus can be reached among the Subcommittee Members, then the Subcommittee will forward to the Committee a Transmittal Report which shall include a summary of the Subcommittee's research and findings on a given issue, and one or more responses or recommended courses of action to the Committee. If a consensus cannot be reached on a given issue, then the Subcommittee will forward to the Committee a Transmittal Report, which shall include a summary of its research and findings, and a list, in no particular order, of alternative responses or courses of action for the Committee's consideration. Any Transmittal Report forwarded to the Committee, either by recommendation or in the alternative, should be accompanied by an explanation or rationale identifying the supporting and opposing positions.

IV. Procedures for Addressing Issues

The Committee will use the following process for conducting its business:

- a. The Committee will hold meetings to identify issues to be formally considered;
- b. Once issues have been identified, the Committee will place the issue on the agenda to be formally discussed and commented on by the Committee and stakeholders;
- c. After having evaluated and sufficiently identified an issue, the Committee, if a consensus cannot be reached, may hold a vote to determine whether the issue should be referred to a Subcommittee to be formally researched and reported on. The Committee shall refer the issue to the appropriate Subcommittee if approved for referral. If, based on the information obtained and discussions held by the Committee, the Committee determines that no additional research and reporting are necessary, no referral is required.
- d. Once an issue has been referred to a Subcommittee, the Subcommittee shall discharge its responsibilities as provided in sections II and III of the Guidelines,

and forward a Transmittal Report to the Committee for consideration.

- e. If the Committee determines that a Transmittal Report, in whole or in part, is incomplete or substantially deficient, it may return the Transmittal Report or a portion of the Transmittal Report to the Subcommittee with instructions to complete or correct the Transmittal Report.
- f. Once a Transmittal Report has been received by the Committee, the presiding Chair of the Committee may place the issue that is the subject of the Transmittal Report on the Committee agenda for formal consideration. If the Committee agrees to formally recommend a response or course of action included in a Transmittal Report to the Mayor, it shall forward such response or course of action in a form and manner determined by the Committee. If the Committee cannot agree by consensus whether to make a recommendation, then majority vote shall prevail. The Committee, however, shall not be obligated to act upon or recommend a response or course of actions addressed in a Transmittal Report.